

## **The Honorable Karen A. Overstreet Chapter 11**

**Hearing Date:** January 17, 2014  
**Hearing Time:** 9:30 AM  
**Location:** Courtroom 7206  
**Response Date:** January 10, 2014

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

In re:

No. 13-19298-KAO

NATURAL MOLECULAR TESTING  
CORPORATION,

Debtor,

**MOTION FOR ORDER  
AUTHORIZING SALE OF DEBTOR'S  
EXCESS OFFICE FURNITURE AND  
OFFICE EQUIPMENT**

## I. INTRODUCTION & RELIEF REQUESTED

Natural Molecular Testing Corporation, the debtor-in-possession herein (the “Debtor” or “Natural Molecular”), by and through counsel, HACKER & WILLIG, INC., P.S., respectfully moves the Court for an order authorizing sale of Debtor’s excess office furniture and office equipment.

This Motion is supported by the Declaration of Beau Fessenden (the “Fessenden Decl.”), filed concurrently herewith, and by the pleadings and records on file herein.

## II. FACTUAL BACKGROUND

The Debtor commenced this Chapter 11 case on October 21, 2013 (the “Petition Date”). The Debtor is operating its business and managing its affairs as a debtor-in-

MOTION TO ALLOW SALE OF DEBTOR'S  
OFFICE FURNITURE AND EQUIPMENT - 1

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1 possession under 11 U.S.C. §§ 1107 and 1108. A summary of the Debtor's operations and the  
2 events leading to this Chapter 11 case are set forth in the prior-filed Declaration of Keith  
3 Tyacke dated October 22, 2013 [Dkt. #7].

4 Given the Debtor's recent downsizing and its intent to consolidate its office space, the  
5 Debtor is requesting authorization to sell its excess office furniture and office equipment so  
6 that it can avoid the costs of storage.

7 The Debtor seeks authority to sell office furniture and office equipment with relatively  
8 minimal value and would seek to use its business judgment with regard to the terms of sales.  
9 The Debtor estimates that no single piece has a fair market value in excess of \$500.00. A list  
10 of the office furniture and office equipment which the Debtor seeks to sell immediately is  
11 attached to the Fessenden Decl. as **Exhibit A**. The original invoices identifying all furniture  
12 purchased from Ducky's are attached to the Fessenden Decl. as **Exhibit B**. The Debtor will  
13 seek to sell the items at fair market value in order to avoid the costs of storage if its office  
14 space is reduced. The Debtor also seeks authority to sell any of the furniture listed on Exhibit  
15 B under the same terms as described herein. *See*, Fessenden Decl., ¶ 5.

16 The furniture at issue was all purchased from Ducky's, a used office furniture purveyor  
17 in Seattle. The Debtor intends to sell the furniture back to Ducky's, or to another used office  
18 furniture dealer, for approximately 20% of its original purchase price, or to sell by way of  
19 Craigslist or other method if a higher price can be generated. *See*, Fessenden Decl., ¶ 5.  
20 Included in the Ducky's purchase price are the Ducky's moving and transportation fees, which  
21 would save on applicable costs and expenses to the estate.

### 22 **III. LEGAL AUTHORITY & ARGUMENT**

23 The Debtor brings the present Motion under 11 U.S.C. § 363(b)(1), which allows the  
24 Debtor to sell property of the estate, outside of the ordinary course of business, following  
25 notice and a hearing. There are no creditors with any security interests in the personal  
26 property that the Debtor seeks to sell. Selling the furniture is in the best interest of the estate

1 as it will save whatever costs of storage would otherwise be incurred once the Debtor has  
2 decreased its office space. The funds generated from the sale of excess office furniture and  
3 office equipment, though expected to be minimal, shall be used to fund ongoing operations  
4 and/or pay creditors.

5 In sum, the Debtor's Motion should be granted and the sale of its excess office  
6 furniture and office equipment be authorized.

7 **IV. CONCLUSION & PROPOSED ORDER**

8 Therefore, the Debtor respectfully requests entry of an order authorizing sale of  
9 Debtor's excess office furniture and office equipment. A proposed Order consistent  
10 therewith is attached hereto as **Exhibit A**.

11 DATED this 24th day of December, 2013.

12 Respectfully submitted,

13 HACKER & WILLIG, INC., P.S.

15 */s/ Charles L. Butler, III* \_\_\_\_\_  
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19 Attorneys for the Debtor  
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